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Docket No.: 848075-0060

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Takayuki YAJIMA
Serial No.: 10/712,511
Filed: November 13, 2003
For: **PORTABLE RADIOTELEPHONE**
Examiner: Dean, Raymond S. Group Art Unit: 2618

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AGENDA FOR MARCH 12, 2010 TELEPHONIC INTERVIEW

Sir:

This paper is in response to the Examiner's request for a short agenda of the topics to be discussed during the telephonic interview scheduled with the Examiner for March 12, 2010.

The topic to be discussed during the interview is US Patent No. 6,751,446 ("Kim") as applied to the pending claims.

Although Applicant had seemingly reached agreement with the Examiner on an amendment that would allow the claims to issue, in the most recent Office Action (mailed 12/16/2009), the Examiner, while acknowledging that agreement, again rejects the pending claims based on the teaching in Kim that "the second speaker can be in any position or location on the body of the mobile device." Office Action at 2. As previously discussed with the

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Examiner that teaching in Kim is imprecise and insufficient to render the pending claims unpatentable.

Kim fails to expressly disclose "a first speaker provided at one end of a front face of and in a longitudinal direction of said first housing and a second speaker provided at the other end of the front face of and in a longitudinal direction of said first housing" as required, for example, by claim 1. Rather, Kim merely discloses that the second speaker could be "fitted . . . [on] the front or sides of the body 1." Hence, Kim does not expressly disclose that the first and second speakers should or even could be longitudinally positioned on the front face of the Kim device. In fact, such a configuration would be impossible in the device disclosed in Kim as shown in Fig. 1. In Fig. 1 of Kim, a microphone 5 is located opposite the first speaker 6 and the second speaker 11 is located on the back or rear side of the device 1 to minimize interference between the speakers and microphone. No person of ordinary skill in the art would position the second speaker 11 adjacent the microphone 5 because of the interference that would occur between speaker 11 and microphone, rendering the device useless. Moreover, there would be no logical benefit to locating the speakers 6 and 11 on the front face of the Kim device 1 unlike the claimed device. Accordingly, because Kim does not expressly disclose the claimed configuration, and indeed the claimed configuration would render the Kim device unusable due to interference, Kim may not be relied upon to render the pending claims obvious.

For the foregoing reasons, and for the reasons articulated in Applicant's prior response, which is incorporated herein, Applicant respectfully submits claims 1-17 are now allowable over the cited prior art.

Respectfully submitted,

Date: March 11, 2010



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